

Stephanie Kost

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From: W J Barnett [wjbarnett@mindspring.com]
 Sent: Tuesday, November 11, 2003 1:15 AM
 To: Michael Powell
 Cc: Kathleen Abernathy; Michael Copps; KJMWEB; Commissioner Michael Powell; Scott Marous; Richard Barnett; Trevor Gibson; marie.t.breslin@verizon.com; FCC FCCINFO; Jennifer Salhus; customercare@vonage.com; csd@dps.state.ny.us; inquiry@newyork.bbb.org
 Subject: Competition and consumer benefit vs. Internet telephony

DEC 19 2003

Federal Communications Commission
Office of the Secretary

(Note: All quotations in this email are from: FCC Docket No. 95-116 In the Matter of Telephone Number Portability CTIA Petitions for Declaratory Ruling on Wireline-Wireless Porting Issues "Memorandum Opinion and Order And Further Notice of Proposed Rulemaking," Adopted November 7, 2003 Released November 10, 2003)

Dear Mr. Chairman,

If the FCC is to provide greater consumer benefit and quality of service at reasonable cost, I am writing to express my concern regarding IP telephony, existing telephone companies (a.k.a. Local Exchange Carriers, or LECs), and consumer choice in a competitive marketplace.

I am also writing because I want to keep my existing phone number, in accordance with FCC rules.

Please take the time to read this email. Because The FCC has not addressed these issues more aggressively, or taken an official stance on the following two considerations, I submit that Verizon Communications, Inc. has taken the opportunity to take advantage of myself as a consumer, in blatant violation of FCC rules.

1. As broadband internet services, including cable, DSL and Wireless Internet (a.k.a. 802.11x or WiFi) proliferate at increasing rates, consumers will realize that IP telephony affords them greater benefits and less cost than traditional telephone services currently provided by the LECs.

2. The Commission should expand its recent Order mandating wireline and wireless Local Number Portability (LNP) to include information services companies providing IP telephony (VoIP), as well as the stated Commercial Mobile Radio Service (CMRS) providers.

I subscribe to Earthlink's high speed internet cable modem service, and recently decided to subscribe to Vonage, Inc. for telephone service over my internet connection, for several reasons.

First of all, there were significant cost savings, compared with my existing phone services: Verizon for local and regional calls, and Sprint for long distance. And their features matched or surpassed these companies' services combined. Secondly, I would be able to transfer my existing phone number by signing and sending in to Vonage, Inc. a Letter of Authorization (LOA). Finally, I could manage my phone service completely via the Web. As a bonus, their customer service is fast, courteous, and efficient.

According to Vonage, it takes 15 to 20 business days to transfer a phone number. The LOA specifically states not to cancel my phone service; both Verizon and Vonage agree that a customer should not cancel service if he or she wishes to transfer an existing number. I am currently paying Verizon just to keep my number.

However, I still await the transfer Per Vonage:

...Copies rec'd
 JstABODE

October 01, 2003 - Letter of Authorization (LOA) Received October 06, 2003 - ~~Transfer~~ Sent to Carrier November 19, 2003 - F.O.C. date set by Verizon (As of 11/10/03, according to Verizon residential phone representatives, there is no record of a request for transfer)

Could the delay be due to a complex process? No.

"...number portability requires only that a carrier release a customer's number to another

carrier and assign the number to the new carrier in the Number Portability Administration Center (NPAC) database, which is queried solely to identify the carrier that can terminate calls to the customer..." "...porting involves a limited exchange of data between carriers to carry out the port. Sprint, for example, notes that to accomplish porting, carriers need only exchange basic contact information and connectivity details, after which the port can be rapidly accomplished."

If not complex, maybe the delay is standard industry practice? No.

"Currently, the wireline-to-wireline porting interval is four business days... the current four business day porting interval represents the outer limit of what we would consider to be a reasonable amount of time in which wireline carriers may complete ports."

Could it be due to the change in carrier? No.

"We note also that whatever porting interval affiliated wireline and wireless service providers offer within their corporate family must also be made available to unaffiliated service providers."

Could it be because I moved to another part of Manhattan? No.

"Section 251(b) of the Communications Act of 1934, as amended (the Act) requires local exchange carriers (LECs) to provide local number portability... as a practical matter, [the porting obligation] requires LECs to provide number portability to other telecommunications carriers providing local exchange or exchange access service within the same MSA... section

251(b) requires local exchange carriers to provide number portability to all telecommunications carriers..."

In conclusion, I submit the reason is corporate inertia and aversion to market forces:

"The focus of the porting rules is on promoting competition, rather than protecting individual competitors. To the extent that wireline carriers may have fewer opportunities to win customers through porting, this disparity results from the wireline network architecture and state regulatory requirements, rather than Commission rules."

If my father, who lives in rural Vermont and has moved three times in the same village, has kept the same phone number over the last thirty years, why can I not keep my home phone number if I move across my home town?

Sincerely,

William Barnett
New York, NY

cc: Office of the Attorney General
Bureau of Consumer Frauds and Protection
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